

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LAVETTE COOPER and IVORY COOPER,  
Individually and on behalf of all others  
similarly situated,

Plaintiffs,

v.

ALL AMERICAN HOME CARE LLC,  
ALL AMERICAN HOSPICE CARE LLC,  
MICHAEL Y. SPIVAK,

Defendants.

Case No.: 2:17-cv-01563-PBT

**FILED**

FEB 21 2019

KATE BARKMAN, Clerk  
By \_\_\_\_\_ Dep. Clerk

JERRY ACOSTA, JR. and MODESTINE  
THORPE, Individually and on behalf of all  
others similarly situated,

Plaintiffs,

ALL AMERICAN HOME CARE LLC,

Defendant.

Case No.: 2:17-cv-01656-PBT

**[PROPOSED] ORDER GRANTING  
FINAL APPROVAL OF THE SETTLEMENT AGREEMENT**

AND NOW, this 19<sup>th</sup> day of Feb., 2019, upon consideration of Plaintiffs'

Unopposed Motion For Final Approval of the Settlement, the Court grants the Motion and  
ORDERS as follows:

1. The Parties' Settlement Agreement is finally approved as fair, reasonable and adequate, and a fair and reasonable resolution of a *bona fide* dispute;
2. Plaintiffs' Pennsylvania state wage law claims are finally certified and the following Settlement Class is finally certified pursuant to Fed. R. Civ. P. 23:

All persons who worked for Defendants as a Home Health Aide in Pennsylvania and where the records indicated that the employee worked more than forty hours in one or more workweeks between April 11, 2014 and November 20, 2017.

3. Plaintiffs Lavette Cooper, Ivory Cooper, Jerry Acosta, Jr. and Modestine Thorpe (together, "Plaintiffs") are finally approved as the Representatives of the Settlement Class, and the proposed service award in the amount of \$5,000.00 to each for their service to the Settlement Class and in exchange for their additional released claims in favor of Defendants is finally approved;

4. The Locks Law Firm, the Garner Firm, Ltd., Alvin de Levie, Esquire, Berger and Montague, P.C., and Montgomery McCracken, Walker & Rhoads are finally approved as Class Counsel for the Settlement Class.

5. Class Counsels' attorneys' fees in the amount of \$133,333.33 and costs in the amount of \$4,558.67 are granted and finally approved;

6. The Angeion Group is finally approved as Settlement Administrator and the costs of settlement administration are finally approved, not to exceed \$17,444.00.

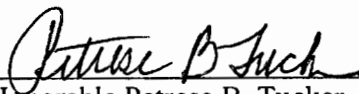
7. Community Legal Services of Philadelphia is finally approved as the *cy pres* recipient;

8. The Court hereby enters final judgment in this case and dismisses it with prejudice in accordance with the terms of the Settlement Agreement. There being no reason to delay entry of this Final Judgment, the Clerk of the Court is ordered to enter this Final Judgment forthwith pursuant to Rule 54(b) of the Federal Rules of Civil Procedure.

9. Without affecting the finality of this Final Judgment in any way, the Court reserves exclusive and continuing jurisdiction over this action, the named Plaintiffs, the certified class, and Defendants for purposes of supervising the implementation and enforcement of the Settlement

Agreement, this Order, and all settlement administration matters.

BY THE COURT,

  
\_\_\_\_\_  
Honorable Petrese B. Tucker  
United States District Court Judge